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Attorney for Defendants: Jean Clark and Ronald
Murach

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

ROBERT J. MURRAY,
Plaintiff,

v.

WYOMING COUNTY JAIL, et al.,
Defendants

No. 4:21-CV-00122

Jury Trial Demanded

**Defendant's Brief in Opposition to
Plaintiff's Motion Compelling Discovery**

I. Procedural History

Murray filed a second motion to compel discovery on June 6, 2022 (Doc. No. 63). The court gave the defendants until August 8, 2022 to file a response.

II. Facts

Murray was an inmate at the Wyoming County Correctional Facility and filed this lawsuit to complain about the care he received during his incarceration.

Murray claims that the Wyoming County defendants delayed in taking him for medical care after he complained of a painful headache. He says he was diagnosed at Wyoming Geisinger with a stroke and that the delay in his hospitalization caused him to suffer impairments he might not have otherwise had.

Murray had been evaluated by PrimeCare Medical after his complaint of a headache and has not named PrimeCare as a defendant even though its staff was responsible for evaluating his condition and providing needed medical care.

Murray filed a motion to compel the defendants to answer his discovery despite the defense production to him of his inmate file and all his jail records. The defense also tried repeatedly to get Murray to sign a medical release so the defense could obtain the records. He refused, claiming he could not trust the defense lawyer with providing him with the copies he received.

Concurrently with this brief, the defense filed an answer to the motion which explains what occurred and what it has provided.

Note that on November 18, 2021, the court ordered a stay of all proceedings (Doc. No. 29) to give the Federal Bar Association's Pro Bono Committee an opportunity to find a lawyer for Mr. Murray. That effort was unsuccessful because no lawyer wanted to take his case.

III. Issues

Whether the court should grant plaintiff's motion to compel where the defense has provided Mr. Murray with what he request subject to non-disclosure of jail officials' home addresses?

IV. Argument

Mr. Murray has been a challenging litigant to deal with. We tried repeatedly to secure his medical records from him but he refused to sign a release that authorized the records to be sent to defense counsel. He claims now that he secured them himself but only received a few pages. While the defense does not know exactly what Murray received from PrimeCare, his records were necessarily more than a few pages long. There are intake

documents created by the medical staff, medication logs and responses to medical requests that should have been quite lengthy.

The incident reports reflect that it was the correctional staff that made the decision to send him to the hospital, not the medical staff, who are trained to evaluate Murray's medical needs. Yet, he does not sue PrimeCare.

Murray does not need the home addresses of the jail's staff. If inmates were to be given that information, it would pose a significant security risk to the County's employees.

While Mr. Murray does not like the answers we provided, we did respond to him.

V. Conclusion

WHEREFORE, the defendants request that Murray's Motion be denied.

Respectfully submitted,

NEWMAN | WILLIAMS

By: s/Gerard J. Geiger, Esq.
Attorney I.D. # PA44099

Date: August 8, 2022

Certificate of Service

I hereby certify that on this date, I served a true and correct copy of the foregoing document on pro se plaintiff via first class mail, addressed as follows:

Robert J. Murray
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SCI- Dallas
SPECIAL MAIL- OPEN ONLY IN
THE PRESENCE OF THE INMATE
1000 Follies Road
Dallas, PA 18612

NEWMAN | WILLIAMS

By: s/Gerard J. Geiger, Esq.
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Date: August 8, 2022